

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

TARA BERRY,)	
)	
	Plaintiff,	
)	
v.)	Case No. 04-0586-CV-W-FJG
)	
COMBINED INSURANCE COMPANY)	
OF AMERICA,)	
)	
	Defendant.	

ORDER

Before the Court is the parties' Joint Notice of Settlement and Motion to Vacate Trial (Doc. No. 77, filed on September 28, 2005). Currently, this case has a trial setting on the October accelerated docket. The parties inform the Court that they reached a tentative settlement of all claims on Friday, August 26, 2005, and confirmed the terms of the settlement on Monday, August 29, 2005. The parties represent that they are currently attempting to finalize the settlement agreement in this matter, and intend to file dismissal papers after the settlement documents are executed. Therefore, the parties request that the Court vacate the trial setting and hold this matter in abeyance to allow the parties the time and opportunity to finalize the settlement.

For good cause shown, the Court **GRANTS** the parties' motion to vacate trial setting (Doc. No. 77). This case shall be removed from the October trial docket. The parties **SHALL** file updates with the Court as to the status of this case, starting on October 28,

2005, and continuing every following 30 days, until this case is resolved.

IT IS SO ORDERED.

Date: October 11, 2005
Kansas City, Missouri

/s/ FERNANDO J. GAITAN, JR.
Fernando J. Gaitan, Jr.
United States District Judge